IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction
Dated: Nainital: the 20th day **of** August 2002

Criminal Misc. Bail Application No. 777 of 2002

Order on the Bail Application of the accused -Smt. Ruksana alias Farhana W/o late Sardar Dulhakhana, r/o Mohalla Peepalwala Ghera P.S.Ganj, district Rampur

CRIMINAL SIDE

Smt. Ruksana alias Farhana W/o late Sardar Dulhakhana, r/o Mohalla Peepalwala Ghera P.S.Ganj, District Rampur
…….Accused

Versus

State of Uttaranchal.

……..Opposite Party.

Arising out of Case Crime No 72 of 2002
Under Section 18/20 N.D.P.S.Act
Police Station-Nanakmatta district Uham Singh Nagar

By the Court

Hon'ble Irshad Hussain,J.

Heard Learned counsel for the applicant and the learned A.G.A.

This is a case of recovery of one kilogram of Charas. It has been argued that there is no compliance of provision of section 42 of N.D.P.S.Act in as much as the information given by the informat was not reduced into writing before proceeding to take the search. The impact of compliance of provision has to be considered after appreciation of the evidence to be adduced in the case. Moreover, the accused was found in possession of such a huge quantity of Charas and if the accused is released on bail there is likelihood of her being indulged in similar activity. It is not a fit case for bail. Rejected.

(Irshad Hussain, J.)

August 20,2002.
M.P.S.